REMARKS

Amendments to claims 1, 14, and 32-35 are for the purpose of clarifying what Applicants regard as the invention. Amendments to claims 15 and 31 are to correct typographical errors. No new matter has been added.

I. CLAIM REJECTIONS UNDER U.S.C. § 102/103

Claims 1-9, 11, and 14-35 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,405,257 (Gersht). Applicants respectfully note that in order to sustain a rejection under § 102, each element of the rejected claim must be found, either expressly or inherently, in the cited reference.

Claims 1, 14, 32-36, 40, and 54 each recites executing a workload on a single node, and tracing the execution of the workload to identify a potential data conflict. Gersht does not disclose or suggest these limitations. Rather, Gersht discloses a method for controlling congestion in an IP network by using a source node to control external traffic directed to the source node. Particularly, the source node of Gersht is configured to detect a burst, identify predetermined routes based on peak packet rate, service class, and quality of service requirements of the detected burst, and "*admits the detected burst onto the identified predetermined routes*" (Abstract, column 1, line 60 to column 2, line 41). As such, the source node of Gersht merely passes or distributes detected burst to routes, and does not itself execute a received workload. Further, the method of Gersht does not include the step of *tracing the execution* of the workload (carried out at the single node) to identify a potential data conflict. For at least the foregoing reasons, claims 1, 14, 32-36, 40, 54, and their respective dependent claims, are allowable over Gersht.

Claims 1, 14, and 32-36, 40, 54, and their respective dependent claims, are also allowable over Gersht for the additional reasons that Gersht does not disclose or suggest *predicting the behavior of the workload across a plurality of nodes* based on a result of the tracing (as recited in claims 1, 36, and 40), forming a workload distribution scheme that distributes the workload across a plurality of nodes *based on a result of the tracing* (as recited in claims 14, 33, and 34), and optimizing the distribution of the workload across a plurality of nodes *based on a result of the tracing* (as recited in claims 32, 35, and 54). Applicants have given the best effort to look for these limitations in Gersht, but cannot find them in the cited reference.

CONCLUSION

Based on the foregoing, all claims are believed in condition for allowance. If the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the number listed below.

Respectfully submitted,

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